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AETNA LIFE INSURANCE COMPANY

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DENNIS F., CAROL F., and GRACE F.

Plaintiffs,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

CASE NO. 3:12-cv-02819-MMC

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER REGARDING BRIEFING ON THE
MERITS**; ORDER CONTINUING CASE
MANAGEMENT CONFERENCE
The Hon. Maxine M. Chesney

Third Amended Complaint Filed: 04/13/2016

KIM B. and AVIVA B.

Plaintiffs,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

CASE NO. 3:16-cv-01395-MMC

Complaint Filed: 03/22/2016

ALISON B. and DANIEL B.

Plaintiffs,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

CASE NO. 4:16-cv-01398-MMC

Complaint Filed: 03/22/2016

1
2 WILLIAM B. and RYAN B.

3 Plaintiffs,

4 v.

5 AETNA LIFE INSURANCE COMPANY,

6 Defendant.

7 LLOYD B. and TALYA B.

8 Plaintiffs,

9 v.

10 AETNA LIFE INSURANCE COMPANY,

11 Defendant.

12 RODNEY K. and BRIAN K.

13 Plaintiffs,

14 v.

15 AETNA LIFE INSURANCE COMPANY,

16 Defendant.

17 MARK L. and ELAINE L.

18 Plaintiffs,

19 v.

20 AETNA LIFE INSURANCE COMPANY,

21 Defendant.

22 R.M. and M.M.

23 Plaintiffs,

24 v.

25 AETNA LIFE INSURANCE COMPANY,

26 Defendant.
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CASE NO. 4:16-cv-01402-MMC

Complaint Filed: 03/22/2016

CASE NO. 4:16-cv-01405-MMC

Complaint Filed: 03/22/2016

CASE NO. 3:16-cv-01397-MMC

Complaint Filed: 03/22/2016

CASE NO. 3:16-cv-01399-MMC

Complaint Filed: 03/22/2016

CASE NO. 5:16-cv-01401-MMC

Complaint Filed: 03/22/2016

PERRY P. and EVAN P.

Plaintiffs,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

CASE NO. 4:16-cv-01400-MMC

Complaint Filed: 03/22/2016

RICHARD R. and SUSANNA R.

Plaintiffs,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

CASE NO. 4:16-cv-01404-MMC

Complaint Filed: 03/22/2016

DAGMAR W. and SAMANTHA W..

Plaintiffs,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

CASE NO. 3:16-cv-01403-MMC

Complaint Filed: 03/22/2016

CHERYL N. and TRISTAN W.

Plaintiffs,

v.

AETNA LIFE INSURANCE COMPANY,

Defendant.

CASE NO. 4:16-cv-01406-MMC

Complaint Filed: 03/22/2016

1 The parties to the above-captioned litigation, by and through their respective counsel of
2 record, hereby stipulate and request as follows:

3 WHEREAS, on May 1, 2017, the Court ruled that the appropriate standard of review
4 applicable to all twelve Plaintiffs' claims for benefits under their Aetna-administered plan was abuse
5 of discretion (ECF 221);

6 WHEREAS, per the Court's December 15, 2016 order (ECF 207), the parties will submit a
7 joint stipulation setting forth a proposed briefing schedule on the merits by May 15, 2017;

8 WHEREAS, the parties have met and conferred, and agree to discuss settlement of all twelve
9 Plaintiffs' claims in June 2017 since Aetna's counsel is currently in trial through the end of May;

10 WHEREAS, the parties have met and conferred, and agree that if the parties do not settle all
11 twelve Plaintiffs' claims, briefing on these cases may be consolidated solely for purpose of efficiency
12 and to facilitate the Court's review of the merits of each case, and that the cases remain separate for
13 all other purposes; and

14 WHEREAS, the parties have met and conferred, and agreed upon the procedure and briefing
15 schedule below;

16 THEREFORE, the parties jointly stipulate, subject to the Court's approval:

- 17 1. Plaintiffs will file their opening brief on the merits on **July 28, 2017**.
 - 18 2. Defendants will file their opposition brief on the merits on **August 25, 2017**.
 - 19 3. Plaintiffs will file their reply brief on the merits on **September 15, 2017**.
 - 20 4. The Court will hold a hearing to discuss the merits on **October 13, 2017**.
 - 21 5. The parties agree that only one brief will be submitted on the merits, and that brief will
22 address all twelve related cases.
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1 **IT IS SO STIPULATED.**

2 Dated: May 15, 2017

3 BRIAN S. KING
4 BRIAN S. KING, ATTORNEY AT LAW

5
6 By: /s/ Brian S. King
Brian S. King

7 Attorneys for Plaintiffs

8 Dated: May 15, 2017

9
10 RICHARD J. DOREN
11 HEATHER L. RICHARDSON
12 GIBSON, DUNN & CRUTCHER LLP

13 By: /s/ Heather L. Richardson
Heather L. Richardson

14 Attorneys for Defendant, AETNA LIFE INSURANCE
15 COMPANY

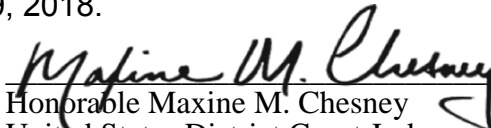
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18 **PURSUANT TO STIPULATION, IT IS SO ORDERED THAT:**

- 19 1. Plaintiffs will file their opening brief on the merits on **July 28, 2017**.
20 2. Defendants will file their opposition brief on the merits on **August 25, 2017**.
21 3. Plaintiffs will file their reply brief on the merits on **September 15, 2017**.
22 4. The Court will hold a hearing to discuss the merits on **October 13, 2017**.
23 5. The parties agree that only one brief will be submitted on the merits, and that brief will

24 address all twelve related cases.

25 IT IS FURTHER ORDERED THAT the Case Management Conference currently scheduled for
26 July 21, 2017, is hereby CONTINUED to January 26, 2018. A Joint Case Management
Statement shall be filed no later than January 19, 2018.

27 DATED: May 16, 2017

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Honorable Maxine M. Chesney
United States District Court Judge